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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/708,464	03/05/2004	Liang-Yun WANG	MTKP0143USA	2463

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EXAMINER	
PHAN, DEAN	

ART UNIT	PAPER NUMBER
2182	

NOTIFICATION DATE	DELIVERY MODE
02/01/2008	ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

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Advisory Action Before the Filing of an Appeal Brief	Application No. 10/708,464	Applicant(s) WANG, LIANG-YUN	
	Examiner Dean Phan	Art Unit 2182	

--The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

THE REPLY FILED 21 January 2008 FAILS TO PLACE THIS APPLICATION IN CONDITION FOR ALLOWANCE.

1. ☒ The reply was filed after a final rejection, but prior to or on the same day as filing a Notice of Appeal. To avoid abandonment of this application, applicant must timely file one of the following replies: (1) an amendment, affidavit, or other evidence, which places the application in condition for allowance; (2) a Notice of Appeal (with appeal fee) in compliance with 37 CFR 41.31; or (3) a Request for Continued Examination (RCE) in compliance with 37 CFR 1.114. The reply must be filed within one of the following time periods:
   a) ☐ The period for reply expires _____months from the mailing date of the final rejection.
   b) ☒ The period for reply expires on: (1) the mailing date of this Advisory Action, or (2) the date set forth in the final rejection, whichever is later. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of the final rejection.

   Examiner Note: If box 1 is checked, check either box (a) or (b). ONLY CHECK BOX (b) WHEN THE FIRST REPLY WAS FILED WITHIN TWO MONTHS OF THE FINAL REJECTION. See MPEP 706.07(f).

Extensions of time may be obtained under 37 CFR 1.136(a). The date on which the petition under 37 CFR 1.136(a) and the appropriate extension fee have been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. The appropriate extension fee under 37 CFR 1.17(a) is calculated from: (1) the expiration date of the shortened statutory period for reply originally set in the final Office action; or (2) as set forth in (b) above, if checked. Any reply received by the Office later than three months after the mailing date of the final rejection, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

NOTICE OF APPEAL

2. ☐ The Notice of Appeal was filed on _____. A brief in compliance with 37 CFR 41.37 must be filed within two months of the date of filing the Notice of Appeal (37 CFR 41.37(a)), or any extension thereof (37 CFR 41.37(e)), to avoid dismissal of the appeal. Since a Notice of Appeal has been filed, any reply must be filed within the time period set forth in 37 CFR 41.37(a).

AMENDMENTS

3. ☐ The proposed amendment(s) filed after a final rejection, but prior to the date of filing a brief, will not be entered because
   (a) ☐ They raise new issues that would require further consideration and/or search (see NOTE below);
   (b) ☐ They raise the issue of new matter (see NOTE below);
   (c) ☐ They are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal; and/or
   (d) ☐ They present additional claims without canceling a corresponding number of finally rejected claims.

   NOTE: _____. (See 37 CFR 1.116 and 41.33(a)).
4. ☐ The amendments are not in compliance with 37 CFR 1.121. See attached Notice of Non-Compliant Amendment (PTOL-324).
5. ☐ Applicant's reply has overcome the following rejection(s): _____.
6. ☐ Newly proposed or amended claim(s) _____ would be allowable if submitted in a separate, timely filed amendment canceling the non-allowable claim(s).
7. ☒ For purposes of appeal, the proposed amendment(s): a) ☐ will not be entered, or b) ☒ will be entered and an explanation of how the new or amended claims would be rejected is provided below or appended.
   The status of the claim(s) is (or will be) as follows:
   Claim(s) allowed: _____.
   Claim(s) objected to: _____.
   Claim(s) rejected: *1-48*.
   Claim(s) withdrawn from consideration: _____.

AFFIDAVIT OR OTHER EVIDENCE

8. ☐ The affidavit or other evidence filed after a final action, but before or on the date of filing a Notice of Appeal will not be entered because applicant failed to provide a showing of good and sufficient reasons why the affidavit or other evidence is necessary and was not earlier presented. See 37 CFR 1.116(e).
9. ☐ The affidavit or other evidence filed after the date of filing a Notice of Appeal, but prior to the date of filing a brief, will not be entered because the affidavit or other evidence failed to overcome all rejections under appeal and/or appellant fails to provide a showing a good and sufficient reasons why it is necessary and was not earlier presented. See 37 CFR 41.33(d)(1).
10. ☐ The affidavit or other evidence is entered. An explanation of the status of the claims after entry is below or attached.

REQUEST FOR RECONSIDERATION/OTHER

11. ☒ The request for reconsideration has been considered but does NOT place the application in condition for allowance because: see the Attachment.
12. ☐ Note the attached Information Disclosure Statement(s). (PTO/SB/08) Paper No(s).
13. ☐ Other: _____.

1/29/08

HENRY TSAI
SUPERVISORY PATENT EXAMINER

Applicant's arguments filed 01/21/2008 have been fully considered but they are not persuasive. Applicant's arguments are summarized as:

a. Prior art of record does not teach "predetermined interconnection means" but instead teaches "port".

b. Prior art of record does not teach "M is greater than N and the controller allows the host to access the peripheral devices using the single port" in claim 1.

c. Prior art of record show no suggestion to combine (Jones and Pub).

d. Prior art of record does not teach priority ranking which is a dynamic ranking that varies according to operations or speed settings of the peripheral devices.

In response to argument 'a', examiner respectfully traverses. It is it appears that the applicant is not interpreting the previous office action as intended by the examiner. According to examiner, IDE is an interface **predetermined** by IDE specification. One uses IDE interface to connect a device to the host via an IDE port (*host and device **interconnect***). Therefore IDE interface is a predetermined interconnection means.

Furthermore, an IDE interface of a single port from the host, according to examiner, is designed to provide access to only two peripheral devices: a master and slave device. Therefore, IDE interface (for a single port from the host) is also designed for providing the host access to a maximum of 2 devices.

In response to argument 'b', examiner respectfully traverses. In figure 9, Jones discloses 4 devices electrically coupled to the controller 40 (4 is greater than 2). Jones also discloses, "*The IDE converter chip 40 detects when a flash memory card has been inserted into one of the connectors 62, 64, 66, 68 by sensing card select lines CD0 and CD1 and configures itself to read files from the inserted card...*" Jones also discloses, "*The data is buffered and then **sent either to host PC** 20 through IDE connector 46 or to removable mass storage 70*" (col 10 lns 10-25). By receiving data from peripheral devices via the single port of the host which is connected to the IDE connector 46, the controller 40 allows the host to access **the peripheral devices** using the single port. It is noted that the claim language does not require "allowing the host to access **all the peripheral devices**". Therefore the limitations are disclosed.

In response to argument 'c', examiner respectfully traverses. In response to applicant's argument that there is no suggestion to combine the references, the examiner recognizes that obviousness can only be established by combining or modifying the teachings of the prior art to produce the claimed invention where there is some teaching, suggestion, or motivation to do so found either in the references themselves or in the knowledge generally available to one of ordinary skill in the art. See *In re Fine*, 837 F.2d 1071, 5 USPQ2d 1596 (Fed. Cir. 1988) and *In re Jones*, 958 F.2d 347, 21 USPQ2d 1941 (Fed. Cir. 1992). For more detail, Examiner respectfully refers to the Final rejection.

In response to argument 'd', examiner respectfully refers to the rejection in Final Office Action for more detail.

Applicant seems to rely on "allows more than two devices to be concurrently accessible to the host". It is noted that the features upon which applicant relies on are not recited in the rejected claim(s). Although the claims are interpreted in light of the specification, limitations from the specification are not read into the claims. See *In re Van Geuns*, 988 F.2d 1181, 26 USPQ2d 1057 (Fed. Cir. 1993).